

jc772 U.S. PTO  
03/28/01

Attorney Docket No. 47382.000121

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FORM FOR FILING CONTINUING APPLICATION  
UNDER 37 C.F.R. § 1.53(b)

Attorney Docket Number 47382.000121  
Anticipated Classification Of This Application:  
Class Subclass

Prior Application: 09/621,869  
Examiner: to be assigned  
Art Unit: 2878

jc986 U.S. PTO  
09/818664  
03/28/01

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of prior Application Serial No. 09/621,869, filed July 21, 2000, which is a continuation of prior Application Serial No. 09/457,391, filed December 9, 1999, which claims priority from Provisional Application Serial No. 60/111,959, filed December 11, 1998 entitled **EXHAUST OPACITY MEASURING DEVICE** by the following named inventors: John DiDomenico, James H. Johnson, Donald H. Stedman, Gary A. Bishop & Graig S. Rendahl

1. ☒ Enclosed is a true copy of the prior complete application as originally filed, including the oath or declaration. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
2. ☐ Preliminary Amendment and Second Preliminary Amended are enclosed.
3. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. At least one original independent claim is retained to complete the prior application introduced new matter therein.
4. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as mentioned at 1, 2 and 3 above.

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	21	1	x \$18.00 =	\$18.00
INDEPENDENT CLAIMS	4	1	x \$80.00 =	\$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			x \$260.00 =	
BASIC FEE				\$710.00
TOTAL OF ABOVE CALCULATIONS=				+\$ 808.00
REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY (Note 37 C.F.R. 1.9, 1.27, 1.28). IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED.				
TOTAL =				\$ 808.00

5. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0206.
6. ☒ A check in the amount of \$808.00 is enclosed
7. ☒ Amend the specification by replacing the first sentence with: -- This application is a continuation of Application Serial No. 09/621,869, filed July 21, 2000, which is a continuation of prior Application Serial No. 09/457,391, filed December 9, 1999, which claims priority from Provisional Application Serial No. 60/111,959, filed December 11, 1998 --
8. ☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

Examiner and Clerk,  
3/28/01  
JDK-2/02

☐ was filed in prior application Serial No. \_\_\_\_\_ and such status is still proper and desired (37 C.F.R. § 1.28(a)).

9. ☐ Priority of foreign Application Nos. \_\_\_\_\_, filed on, is claimed under 35 U.S.C. § 119.

☐ A certified copy of each was filed in prior Application Serial No. \_\_\_\_\_ filed

10. ☐ New formal drawings are enclosed.

11. ☐ The prior application is assigned of record to

12. ☐ The power of attorney in the prior application is to Hunton & Williams.

a. ☐ The power of attorney appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☐ Recognize as Associate Attorneys:

d. ☐ Please remove as power of attorney:

13. ☐ Enclosed is an Associate Power of Attorney to the Undersigned Counsel.

14. X Also enclosed: An INFORMATION DISCLOSURE STATEMENT. Attached are Forms PTO-1449 listing all of the documents cited by Applicants and the PTO in the parent application(s) relied upon 35 U.S.C. 120. Per Rule 98(d) copies of those documents are not required now. Please consider these documents and advise that they have been considered in this new application by returning a copy of the enclosed Forms PTO-1449 with the Examiner's initials in the left column per M.P.E.P. 609.

15. X Address all future communications to:

HUNTON & WILLIAMS  
ATTN: JAMES G. GATTO, ESQ.  
1900 K STREET, N.W.  
WASHINGTON, DC 20006  
(TEL.) (202) 955 1500  
(FAX) (202) 778-2201

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the applications or any patent issuing thereon.

Dated: March 28, 2001

By: \_\_\_\_\_

Yisun Song  
Registration No. 44,487

LAW OFFICES  
HUNTON & WILLIAMS  
1900 K STREET, N.W., SUITE 1200  
WASHINGTON, D.C. 20006-1109  
(202) 955-1500